

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

CARL EUGENE SPENCER

:

Plaintiff

:

v

:

Civil Action No. RDB-05-1265

STATE OF MARYLAND,  
DEPARTMENT OF PUBLIC SAFETY  
AND CORRECTIONAL SERVICES,  
and BALTIMORE CITY PUBLIC  
DEFENDERS OFFICE

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Defendants

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**MEMORANDUM OPINION**

The above-captioned civil rights Complaint was filed on May 6, 2005, along with a motion to proceed *in forma pauperis*. The complaint alleges that Plaintiff was kidnapped and hospitalized by the Baltimore City Police. Paper No. 1 at p. 4. Plaintiff also claims that: he was assaulted at Bon Secours Hospital; he was assaulted by the transportation sergeant for Central Booking; and he was assaulted again by officers upon his arrival at the pre-trial detention facility. He also claims that he was assaulted by another inmate.

Before this case is permitted to go forward, Plaintiff will be required to supplement the Complaint with additional allegations. The caption of the Complaint does not include the names of any of the officers who allegedly assaulted Plaintiff. The parties named by Plaintiff are not subject to suit. The State of Maryland may not be sued as a defendant under 42 U.S.C. § 1983, because the Eleventh Amendment bars suit against the State. The Department of Public Safety is not a person within the meaning of 42 U.S.C. § 1983. Finally, it is unclear why the Public Defender's Office has been named

as a defendant, inasmuch as the Complaint contains no allegations of wrongdoing by a public defender.

In light of Plaintiff's *pro se* status, he will be granted 30 days in which to supplement his complaint with the names of individual governmental employees whom he wishes to name as Defendants in this case.

Plaintiff is cautioned that he should only name those individuals who were directly involved in the allegations raised in the complaint. In addition, Plaintiff is forewarned that his failure to supplement the complaint will result in dismissal of the complaint without prejudice and without further notice from this Court.

A separate Order follows.

/s/

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Richard D. Bennett  
United States District Judge

Dated: May 25, 2005